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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,010	10/06/2000	William W. Smith III	PSTM0002/MRK	9819
29524	7590	06/26/2006	EXAMINER	
KHORSANDI PATENT LAW GROUP, A.L.C.			WEBB, JAMISUE A	
140 S. LAKE., SUITE 312			ART UNIT	
PASADENA, CA 91101-4710			PAPER NUMBER	

3629

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 3, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls et al. (5,631,827) in view of Robbins (US 2005/0246359).

4. With respect to Claims 1 and 6: Nicholls discloses the use of a centralized computer system for the management of shipping (see abstract), comprising:

- a. A plurality of functionally aligned server computer devices, which are programmed to perform a specific function (See figures 2 and 6).
- b. A first server computer device which is adapted for communicating access of the user (Supervisory Server, Figure 6 with corresponding detailed description); and

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- c. A second server used for rating parcels (Rate Server, Figure 6).
5. Nicholls discloses the use of multiple servers performing specific functions (See Figure 2) but fails to disclose the use of a server used for tracking. Robbins discloses the use of a Delivery Tracking System with a specialized Tracking Server (reference numeral 8, figure 1 and abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Nicholls to include the tracking server of Robbins, in order to provide tracking service to shippers and recipients with controlled access to the data through a query response interface made available by a tracking server. (See Robbins, Page 1)
6. With respect to Claim 3: See Nicholls, Document Server.
7. With respect to Claim 4: See Nicholls, Figures 4A, 4B.
8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls and Robbins, as disclosed above for Claim 1, and further in view of Kara et al. (6,233,568) and Thiel (5,699,258).
9. Nichols discloses a multiple carrier system that calculates rates for carriers with specific parameters such as a notification of delivery, however Nicholls discloses the automatic selection of a carrier and fails to disclose simultaneously displaying the rates of the carriers to the user. Kara discloses a computer program used for multiple shippers that simultaneously displays that calculate shipping rates of multiple carriers for multiple services (See Figure 8, column 22, lines 20-38). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the shipping rates of Nicholls be displayed to the user as disclosed

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by Kara, in order to present the user with information from which to make an informed choice as to a particular shipping service provider by which to ship a particular item. (See Kara, column 22)

10. Nicholls and Kara, disclose the use of calculating and displaying rates for specific services, for multiple carriers, but fails to disclose the simultaneous display of the rates for each carrier for each service. Thiel discloses the use of a system for calculating rates for multiple carriers for multiple services (see abstract), and discloses a simultaneous display of rates for each carrier, that includes rates for different services (Column 11, lines 1-13). Thiel discloses displaying rates for the preferred carrier, but also discloses displaying the rates for second and third choices as well (Column 11, lines 46-54). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Nicholls, Pauley and Kara, to simultaneously display the rates of each carrier for each service, in order to allow the customer to come to his/her own conclusion and choice of carriers. (See column 11).

11. Claims 7, 9 and 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls in view of Kara et al. (6,233,568).

12. With respect to Claims 7, 9 and 31: Nicholls discloses the use of a centralized computer system and method for the management of shipping (see abstract), comprising:

- d. A plurality of functionally aligned server computer devices, which are programmed to perform a specific function (See figures 2 and 6).

- e. A first server computer device which is adapted for communicating access of the user (Supervisory Server, Figure 6 with corresponding detailed description) and accepting parcel information, See Figures 4A and 4B).
  - f. A second server used for rating parcels for multiple carriers for multiple services (Rate Server, Figures 2 and 6).
13. Nichols discloses a multiple carrier system that calculates rates for carriers with specific parameters such as a notification of delivery, however Nicholls discloses the automatic selection of a carrier and fails to disclose simultaneously displaying the rates of the carriers to the user. Kara discloses a computer program used for multiple shippers that simultaneously displays that calculate shipping rates of multiple carriers for multiple services (See Figure 8, column 22, lines 20-38). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the shipping rates of Nicholls be displayed to the user as disclosed by Kara, in order to present the user with information from which to make an informed choice as to a particular shipping service provider by which to ship a particular item. (See Kara, column 22)
14. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholls and Kara as applied to claim 9 above, and further in view of Robbins (US 2005/0246359).
15. Nicholls discloses the use of multiple servers performing specific functions (See Figure 2) but fails to disclose the use of a server used for tracking. Robbins discloses the use of a Delivery Tracking System with a specialized Tracking Server (reference numeral 8, figure 1 and abstract). It would have been obvious to one having ordinary skill in the art at the time the

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invention was made to modify Nicholls to include the tracking server of Robbins, in order to provide tracking service to shippers and recipients with controlled access to the data through a query response interface made available by a tracking server. (See Robbins, Page 1)

### ***Response to Arguments***

16. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

17. Applicant's amendment filed 6/3/05 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

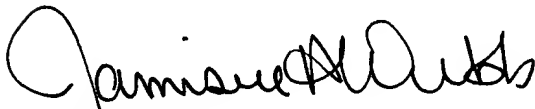
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamisue A. Webb whose telephone number is (571) 272-6811.


The examiner can normally be reached on M-F (7:30 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jamisue Webb



Naresh Vig  
Patent Examiner  
AU 3629